

Application No. 10/721,258  
Reply to Office Action dated 05/22/2006

Docket No.: 215407-106243

### REMARKS

Applicant has carefully studied the detailed Office Action mailed December 4, 2006 and thanks Examiner Kim for review of the pending claims. Claims 1-21 were pending. Claims 16-21 were allowed. Claims 1-11 and 13 were rejected. Claims 12, 14 and 15 were objected to as containing allowable subject matter. In this paper, claims 7, 11, 12, 14, and 15 have been cancelled. Claims 1, 3, 4, 6, 8, 9, 10, and 13 have been amended. Claims 22-34 have been added. No new matter has been added. Accordingly, claims 1-6, 8-10, 13, and 16-34 are now pending. Applicant respectfully requests reconsideration of the present application in view of the foregoing clarifying amendments and the following remarks.

#### I. Formal Matters

A. Applicant kindly thanks Examiner Kim for allowing claims 16-21.

B. Applicant thanks Examiner Kim for indicating that claims 12, 14, and 15 contain allowable subject matter.

C. Applicant thanks Examiner Kim for indicating that claim 1 included an originally-filed intended use limitation. All limitations including intended-use recitations have been cancelled from claim 1.

#### II. Claim Rejections Under 35 U.S.C. §102

A. Claims 1-3, 5-7 and 11 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. 5,985,144 to Janik et al. ("Janik"). For at least the following reasons, Applicant respectfully traverses the rejection.

Claim 1 has been amended to substantially incorporate the subject matter of objected claim 12 and intervening claim 11. Accordingly, independent claim 1 has been amended to recite, *inter alia*, "*a base ring having at least one fluid-directing fin radially-extending from an outer circumferential surface of said base ring, and one or more flexible mounting tabs that axially extend from said at least one fluid-directing fin.*"

Applicant kindly thanks Examiner Kim for indicating that claim 12 was objected to as containing allowable subject matter in view of the teachings of the applied prior art. For at least these reasons, Applicant respectfully submits that anticipation of the claims under § 102(b) is not

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established. Accordingly, the rejection as to independent claim 1 should be withdrawn. Claims 2-3, 5-7 and 11 depend from claim 1, and therefore include additional patentably distinct limitations. Therefore, claims 2-3, 5-7 and 11 are also patentable. Allowance of claims 1-3, 5-7 and 11 is earnestly solicited.

### **III. Claim Rejections Under 35 U.S.C. §103**

A. Claims 1-6 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. 6,423,225 to Wong et al. ("Wong") in view of Janik. For at least the following reasons, Applicant respectfully traverses the rejection.

Claim 1 has been amended to substantially incorporate the subject matter of objected claim 12 and intervening claim 11. Accordingly, independent claim 1 has been amended to recite, *inter alia*, "a base ring having at least one fluid-directing fin radially-extending from an outer circumferential surface of said base ring, and one or more flexible mounting tabs that axially extend from said at least one fluid-directing fin."

Applicant kindly thanks Examiner Kim for indicating that claim 12 was objected to as containing allowable subject matter in view of the teachings of the applied prior art. For at least these reasons, Applicant respectfully submits that a prima facie case of obviousness under § 103(a) has not been established. Accordingly, the rejection as to independent claim 1 should be withdrawn. Claims 2-6 and 9 depend from claim 1, and therefore include additional patentably distinct limitations. Therefore, claims 2-6 and 9 are also patentable. Allowance of claims 1-6 and 9 is earnestly solicited.

B. Claims 1-3, 5-11 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. 6,761,822 to Rhyne et al. ("Rhyne") in view of Janik. For at least the following reasons, Applicant respectfully traverses the rejection.

Claim 1 has been amended to substantially incorporate the subject matter of objected claim 12 and intervening claim 11. Accordingly, independent claim 1 has been amended to recite, *inter alia*, "a base ring having at least one fluid-directing fin radially-extending from an outer circumferential surface of said base ring, and one or more flexible mounting tabs that axially extend from said at least one fluid-directing fin."

Applicant kindly thanks Examiner Kim for indicating that claim 12 was objected to as containing allowable subject matter in view of the teachings of the applied prior art. For at least

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these reasons, Applicant respectfully submits that a prima facie case of obviousness under § 103(a) has not been established. Accordingly, the rejection as to independent claim 1 should be withdrawn. Claims 2-3, 5-11 and 13 depend from claim 1, and therefore include additional patentably distinct limitations. Therefore, claims 2-3, 5-11 and 13 are also patentable. Allowance of claims 1-3, 5-11 and 13 is earnestly solicited.

C. Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wong in view of Janik and in further view of U.S. 4,298,465 to Druffel ("Druffel"). For at least the above reasons in section II., sub-sections A. or B., Applicant respectfully submits that a prima facie case of obviousness under § 103(a) has not been established. Claim 10 depends from claim 1 and includes additional patentably distinct limitations. Therefore, claim 10 is also patentable. Allowance of claim 10 is earnestly solicited.

#### IV. New Claims

##### A. Claims 22-43

New independent claim 22 substantially incorporates the subject matter of claim 1, objected claim 14, and intervening claim 11. Accordingly, independent claim 22 has been amended to recite, *inter alia*, "*a directional fluid insert disposed between said first end of said filter element and said end plate, wherein the directional fluid insert includes a base ring having at least one fluid-directing fin disposed on an outer circumferential surface of said base ring, and an outer ring integrally-connected to said base ring.*"

Applicant kindly thanks Examiner Kim for indicating that claim 14 was objected to as containing allowable subject matter in view of the teachings of the applied prior art. For at least these reasons, Applicant respectfully submits that claims 22-43 are patentable. Allowance of claims 22-43 is earnestly solicited.

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**CONCLUSION**

For all of the above reasons, Applicant submits the specification and claims are now in proper form, and that the claims are patentably-defined over the prior art. Therefore, Applicant submits that this application is now in condition for allowance, and such action is respectfully solicited.

If for any reason the application is not believed to be in full condition for allowance, the Examiner is earnestly requested to contact the undersigned.

Enclosed is a fee transmittal setting forth fees due with the filing of this paper. However, in the event any additional fees are due with the filing of this paper, please charge our Deposit Account No. 50-3145, under Order No. 215407-106243 from which the undersigned is authorized to draw.

Dated: January 9, 2007

Respectfully submitted,

By 

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